



KILPATRICK TOWNSEND & STOCKTON LLP
www.kilpatricktownsend.com

1400 Wewatta Street, Suite 600
Denver, CO 80202-5552
T 303.571.4000 F 303.571.4321

Matthew C. Holohan
MHolohan@kilpatricktownsend.com

February 14, 2014

VIA FAX

The Honorable Frank Maas
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
Facsimile: (212) 805-6724

MEMO ENDORSED

*Both applications are granted.
Counsel should submit an
amended order of discontinuance
for any situation
Maas, USMS, 2/14/14*

Re: **Hon Hai Precision Industry Co., Ltd. v. Wi-LAN Inc.,**
Case No. 12-cv-7900-SAS (S.D.N.Y.)

Dear Judge Maas:

The parties have not yet finalized the settlement agreement in the above-referenced matter and do not believe that the agreement will be finalized before the expiration of time to reopen the case set forth in the Order of Discontinuance dated December 20, 2013 (Dkt. No. 46), as extended on January 17, 2014 (Dkt. No. 47). Accordingly, the parties respectfully request an additional fourteen days to finalize the settlement agreement.

In addition, the parties' settlement agreement will provide that the claim for Declaratory Judgment of Non-Breach and the counterclaim for Breach of Contract in this action will be dismissed with prejudice, and that all remaining claims and counterclaims in this action will be dismissed without prejudice. The parties respectfully request that the Court either amend the Order of Discontinuance to reflect that or reopen the case for the sole purpose of filing a stipulated dismissal to that effect.

I have been authorized to submit this letter on behalf of Wi-LAN Inc. and Hon Hai Precision Industry Co., Ltd.

Respectfully submitted,

A handwritten signature of Matthew C. Holohan in black ink.
Matthew C. Holohan

cc: All counsel of record

66078830v1